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07 UNITED STATES DISTRICT COURT  
08 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 UNITED STATES OF AMERICA, ) CASE NO.: CR88-373-RSM  
10 Plaintiff, )  
11 v. ) SUMMARY REPORT OF U.S.  
12 PETER YANGUAS, ) MAGISTRATE JUDGE AS TO  
13 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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15 An initial hearing on supervised release revocation in this case was scheduled before me  
16 on June 17, 2005. The United States was represented by AUSA Mark Parrent and the defendant  
17 by Carol Koller. The proceedings were recorded on cassette tape.

18 Defendant had been sentenced on or about May 26, 1989 by the Honorable Barbara Jacobs  
19 Rothstein on a charge of Escape and Bank Robbery, which sentence was amended on September  
20 28, 1990 to 168 Months Custody, 3 years Supervised Release.

21 The conditions of supervised release included requirements that defendant comply with all  
22 local, state, and federal laws and with the standard conditions of supervision. Other special  
23 conditions included that the defendant abide by special substance abuse conditions and pay  
24 restitution in the amount of \$4,222.00.

25 Mr. Yanguas' supervised release was modified on July 26, 2002 to require placement at  
26 a half way house. On August 15, 2002 it was modified to require mental health treatment and

01 medication monitoring. On August 28, 2002, supervised release was amended to require halfway  
02 house placement for an additional 120 days, based on defendant's inability to amass enough funds  
03 to secure an approved release address.

04 On October 10, 2002, defendant admitted to violating supervised release by failing to  
05 report for drug testing and failing to reside in and successfully participate in a halfway house by  
06 absconding from the program. He was committed to the custody of BOP for 30 days to be  
07 followed by three years supervised release. Standard conditions were re-imposed plus special  
08 conditions including mandatory drug testing, no firearms or destructive devices, 21-day inpatient  
09 treatment, up to 120 days halfway house, substance abuse treatment, and mental health treatment  
10 with medication monitoring.

11 On July 14, 2003, defendant admitted to violating his supervised release by failing to report  
12 for drug testing on four occasions, failing to report to probation on two occasions, using heroin  
13 on one occasion, failing to follow the instructions of his probation office, failing to report for  
14 outpatient treatment, and being convicted of the crime of trafficking in stolen property. He was  
15 committed to the custody of the BOP for six months, followed by two years supervised release.  
16 All previously imposed conditions were reimposed, plus requirements that he submit to search and  
17 comply with conditions imposed by the King County Superior Court in the stolen property case.

18 The defendant's supervised release was modified to require Mr. Yanguas to reside in a half  
19 way house for an additional 120 days based on his inability to secure an approved release address.  
20 It was extended an additional 60 days based on his use of heroin and inability to secure an  
21 approved release address. His stay at the halfway house was further extended for an additional  
22 120 days, and again on April 27, 2005 for up to 120 days based on marijuana and heroin use and  
23 failure to report to the probation office.

24 In an application dated June 15, 2005, U.S. Probation Officer Michael J. Larson alleged  
25 the following violations of the conditions of supervised release:

- 26 1. Failing to use his prescribed medications in violation of the special condition

01 requiring him to participate in mental health treatment, to include medications if deemed necessary  
02 at the direction of the probation office.

03 2. Failing to report to the probation office as instructed on June 14, 2005 in violation  
04 of standard condition number two.

05 3. Failing to participate in and successfully complete up to a 120 day placement at the  
06 comprehensive sanctions center in Seattle, Washington by absconding from the facility on or about  
07 June 14, 2005 in violation of the special condition requiring his participation and successful  
08 completion of the CSC program.

09 Defendant was advised in full as to those charges and as to his constitutional rights.

10 Defendant admitted each of the alleged violations and waived any evidentiary hearing as  
11 to whether they occurred.

12 I therefore recommend the Court find defendant violated his supervised release as alleged  
13 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be  
14 set before Judge Martinez.

15 Pending a final determination by the Court, defendant has been detained.

16 DATED this 17th day of June, 2005.

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18 Mary Alice Theiler  
19 United States Magistrate Judge

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22 cc: District Judge: Honorable Ricardo Martinez  
23 AUSA: Mark Parrent  
24 Defendant's attorney: Carol Koller  
25 Probation officer: Todd Sanders for Michael J. Larson  
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